

**IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION**

KEITH HIGGINBOTHAM

PLAINTIFF

VS.

CIVIL ACTION NO.: 1:19CV24-GHD-JMV

VERNON EICHELBERGER, ET AL.

DEFENDANTS

ORDER

Before the Court are Winston County Sheriff's Office's ("Winston County") motion [21] for an extension of time in which to plead and Plaintiff's response [22]. In support of its motion, Winston County essentially states it needs additional time to research and investigate before responding to the Amended Complaint. Additionally, Winston County contends Plaintiff will not be prejudiced by the extension because the remaining Defendant (the City of Louisville) has already been granted additional time until August 12, 2019, in which to file its responsive pleading. Plaintiff argues the motion should be denied because, among other things, "the 40 days requested by both parties is too long." While it appears Plaintiff has now had a change of heart with respect to his non-opposition to the City's earlier motion for additional time¹, he has failed to convince the Court that its prior ruling granting the City additional time until August 12 to file its answer was in error. Accordingly, the Court finds Plaintiff will suffer no prejudice as a result of the Court's granting Winston County's motion. **THEREFORE**, Winston County's

¹ The City's motion [18] stated it was not opposed by Plaintiff, and Plaintiff interposed no objection prior to filing the instant response.

motion is GRANTED, and its response to the Amended Complaint is due no later than August 12, 2019.

SO ORDERED this, the 9th day of July, 2019.

/s/ Jane M. Virden
UNITED STATES MAGISTRATE JUDGE